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10 Attorneys for Defendants  
11 ALPHABET, INC., GOOGLE LLC, YOUTUBE,  
LLC, and XXXVI HOLDINGS INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

17 BOGARD, MCGRATH, JANE DOE, BECCA  
18 SCHMILL FOUNDATION, *Individually and  
on behalf of all others similarly situated.*

19 || Plaintiffs.

20 || v.

21 TIKTOK, INC., BYTEDANCE, INC.,  
22 ALPHABET INC., XXVI HOLDINGS INC.,  
GOOGLE LLC, YOUTUBE, LLC.

23 Defendants.

Case No. 5:24-cv-03131-VKD

**DECLARATION OF KYLE C. WONG IN  
SUPPORT OF STIPULATION AND  
[PROPOSED] ORDER SETTING BRIEFING  
SCHEDULE AND EXTENDING PAGE LIMITS  
FOR DEFENDANTS' JOINT MOTION TO  
DISMISS**

1 I, Kyle C. Wong, declare as follows:

2 1. I am an attorney at the law firm of Cooley LLP and an attorney of record for Google  
3 LLC, Alphabet, Inc., YouTube, LLC, and XXXVI Holdings Inc. in *Bogard et al. v. TikTok, Inc. et*  
4 *al.*, Case No. 5:24-cv-03131. I am licensed to practice law in the state of California and am admitted  
5 to practice before this Court. I submit this declaration in support of the parties' Stipulation and  
6 [Proposed] Order Setting Briefing Schedule and Extending Page Limits for Defendants' Joint  
7 Motion to Dismiss (the "Stipulation").

8 2. This action was originally filed in as Case No. 3:23-cv-00012 in the U.S. District  
9 Court for the Southern District of Indiana. On May 22, 2023, Defendants previously moved to  
10 dismiss Plaintiffs' complaint (ECF No. 1, the "Complaint") for failure to state a claim under Federal  
11 Rule of Civil Procedure 12(b)(6).

12 3. On March 25, 2024, the Southern District of Indiana transferred this action to this  
13 Court. The Southern District of Indiana declined to rule on the motion to dismiss in light of its  
14 decision to transfer the action to this Court.

15 4. On June 25, 2024, Defendants informed Plaintiffs of their intent to renew their  
16 motion to dismiss the Complaint and file new briefing reflecting relevant changes in law and the  
17 transfer from the Seventh Circuit to the Ninth Circuit. As Defendants informed Plaintiffs, in the  
18 interest of party and judicial economy, Defendants anticipate filing a single joint motion to dismiss,  
19 rather than multiple motions.

20 5. On July 2, 2024, the parties agreed to jointly request that the Court modestly extend  
21 the briefing schedule and page limits for the anticipated renewed motion to dismiss, as reflected in  
22 the Stipulation. Good cause exists for these extensions because they will permit the parties to  
23 provide the Court with orderly and complete argument on the motion to dismiss, which Defendants  
24 anticipate will address multiple federal defenses in addition to each of the Complaint's eight causes  
25 of action.

26 6. The modest requested time modification will not affect any other deadlines. The  
27 parties have not yet begun discovery, no trial date is set, and no other motions are currently pending  
28 in the case. No other time modifications have occurred since this action's transfer to this Court.

1 I declare under penalty of perjury that the foregoing is true and correct. Executed on  
2 July 2, 2024 in San Francisco, California.  
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5 */s/ Kyle C. Wong*  
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